HONI SOIT QVI MAL Y PENSE
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16.

LAWES AND ORDINANCES OF WARRE,

Eſtabliſhed for the better government of the ARMIE in the *Northern parts.*

By His EXCELLENCE, The Earle of *Holland*, Lord Generall of His MAJESTIES ARMIE.

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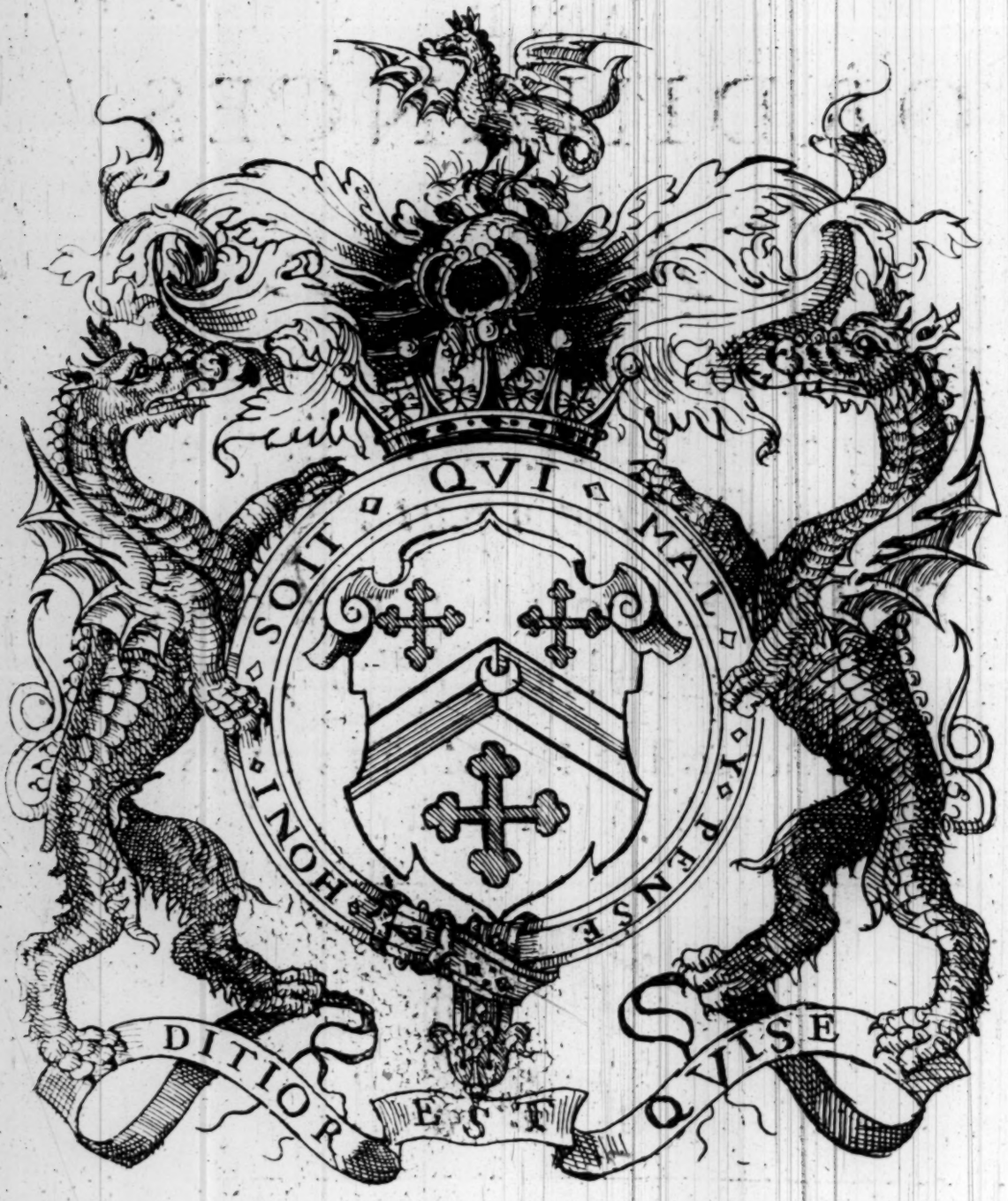
HONI · SOIT · QVI · MAL · Y · PENSE
DITIOR · EST · QVISE

HENRY Earl of Holland, Baron of Kensington, first Gentleman of His Majesties Bed-chamber, Chief Iustice and Iustice in Eyre of all His Majesties Forrests, Chases, Parks and VVarrens on this side Trent, Chancellour of the Vniversity of Cambridge, Constable of the Honour and Castle of VVindsor, Knight of the most Noble Order of the Garter, One of His Majesties most Honourable Privie Councell, and Captain Generall of His Majesties Armie;

To all Officers of the Armie, Colonels, Lieutenant-Colonels, Ser-

geant-Majors, Captains, other Officers and Souldiers of Horſe and Foot: And all His Majeſties Subjects, and others, whom theſe Laws and Ordinances enſuing ſhall concern; VVhich Laws and Ordinances hereby publiſhed, all the ſaid perſons reſpectively and ſeverally, are required and commanded to ſwear unto, and to obſerve and keep on the pains and penalties therein expreſſed.

Lawes and Ordinances of VVarre.

1

FIrſt, let no man preſume to blaſpheme the holy and bleſſed Trinitie; God the Father, God the Son, and God the holy Ghoſt; nor the known Articles of Chriſtian Faith; Upon pain to have his tongue boared with a red-hot iron. Blaſphemy.

2

Unlawfull oathes and execrations, and ſcandalous acts in derogation of Gods honour, ſhall be puniſhed with loſſe of pay, and other puniſhments at diſcretion. Curſing.

3

In the ſame manner ſhall be puniſhed all thoſe who abuſe and profane places and utenſils dedicated to Gods publike worſhip, or wrong his Miniſters. Profaning of Churches.

All

4

Neglecting of divine Service.

All thoſe who often and wilfully abſent themſelves from Sermons and Morning and Evening prayer, ſhall be proceeded againſt at diſcretion.

5

Traiterous words.

No man ſhall uſe any traiterous words againſt his Majeſties ſacred perſon, or Royall authority, upon pain of death.

6

Careleſſe ſervice.

Whoſoever ſhall be convicted to do his Majeſties ſervice negligently and careleſly, ſhall be puniſhed at diſcretion.

7

Violating of ſaveguard.

Whoſoever ſhall preſume to violate his Majeſties ſaveguard, ſhall die without mercy.

8

Violating of the Lord Generall.

Whoſoever ſhall uſe any words tending to the life or diſhonour of the Lord Generall, ſhall be puniſhed with death.

9

Quarrelling with officers.

No man ſhall preſume to quarrell with his ſuperiour Officer, upon pain of caſſeering, and arbitrary puniſhment; nor to ſtrike any ſuch, upon pain of death.

No

10

No Souldier ſhall depart from his Captain, nor Servant from his maſter without licence, though he ſerve ſtill in the Army, upon pain of death. Departing from Captains and Maſters.

11

Every private Man and Souldier, upon pain of impriſonment, ſhall keep ſilence when the Army is to take lodging, or when it is marching or imbattayling; ſo as the Officers may be heard, and their commandments executed. Silence in the Army.

12

No man ſhall reſiſt, draw, lift, or offer to draw, or lift his weapon againſt an Officer correcting him orderly for his offence, upon pain of death. Reſiſting againſt correction.

13

No perſons ſhall make any unlawfull Aſſembly, or be preſent or aſſiſting thereunto; or in, or by them demand their pay, upon pain of death. Unlawfull aſſemblies.

14

No man ſhall reſiſt the Provoſt-Marſhall, or any other Officer in the execution of his office; or break priſon, upon pain of death. Reſiſting of the Provoſt-Marſhall.

15

Seditious words. None ſhall utter any words tending to ſedition and uproar, or mutinie, upon pain of death.

16

Concealing of mutinous ſpeeches. The ſame puniſhment ſhall be inflicted upon them, who after they have heard mutinous ſpeeches, acquaint not their Commanders with them.

17

Revenging of injuries. Whoſoever ſhall receive an injurie, and ſhall take his own ſatisfaction, ſhall be puniſhed by impriſonment, and as it ſhall be thought fit by the Marſhall-Court. But he that is injured, ſhall be bound, if he do not forgive the injury, to ſeek reparation by complaint to his Captain, or Colonell, or other ſuperiour Officer, and it ſhall be given him in ample manner.

18

Drunkenneſſe Drunkenneſſe in an Officer ſhall be puniſhed with loſſe of place. In a common ſouldier, with ſuch penalties as a Court-Marſhall ſhall think fit.

19

Provocation. No man ſhall uſe reproachfull or provoking words or acts to any, upon pain of impriſonment,

ment, and ſuch further puniſhment as ſhall be thought fit to be inflicted upon enemies of diſcipline and ſervice.

20

No man ſhall take or ſpoil the goods of him that dieth, or is kild in ſervice, upon pain of reſtoring double the value, and arbitrarie puniſhment. Seazing on dead mens goods.

21

All ſouldiers coming to their Colours to watch, or to be exerciſed, ſhall come fully armed, upon pain of ſevere correction. Full armour.

22

None ſhall preſume to appear with their Armes un-fix or undecently kept, upon pain of arbitrary correction. Slovenly armour.

23

If a Trooper ſhall loſe his Horſe or Hackney; or a Foot-man any part of his Armes by negligence or lewdneſſe, by dice or cards: He, or they, ſhall remain in qualitie of Pioners and Scavengers, till they be furniſhed with as good as were loſt, at their own charge. Loſing of horſes or Arms.

24

No Town or Countrey-man ſhall preſume to buy or take to pawn an Horſe, or Armes, Pawning of Arms.

or furniture of Tents and Hutts, of any Souldier, upon pain of forfeiting the double value thereof, and to be punish'd at discretion: And the Souldier giving them to pawn, shall suffer a severe punishment.

25

Wilfull spoiling of horses.

If a trooper shall spoil his Horse willingly, of purpose to be rid of the service, he shall lose his horse, and remain in the camp for Pioner.

26

Borrowed Arms.

If one borrows Arms of another to passe the Muster withall; the borrower shall be rigorously punished, and the lender shall forfeit his goods.

27

Imbeazeling of ammunition.

None shall presume to spoil, sell or carry away any ammunition delivered unto him, upon pain of death.

28

Waste and extortion.

None on their march thorow the Countreys, under his Majesties obedience, shall waste, spoil, or extort any victuals, money, or pawn from any subject, upon no pretence of want whatsoever: but shall pay for their meat and drink the usual rates, upon pain of death.

No

29

No ſouldier ſhall preſume, upon no occaſion whatſoever, to take an horſe out of the Plough, or to wrong the husbandmen in their perſons, or cattell, or goods, upon pain of death. Taking of horſes out of the Plough.

30

No ſouldier either horſe or foot, ſhall preſume in marching to ſtraggle from his troup or company, or to march out of his rank, upon pain of death. Straggling from the Colours.

31

No ſouldier ſhall preſume in marching or lodging, to cut down any fruit-trees, or to deface or ſpoil walks of trees, upon pain of ſevere puniſhment. Spoiling of trees.

32

No man ſhall depart a mile out of the Army or Camp without licence, upon pain of death. Swarving from the Camp.

33

No man ſhall preſume to draw his ſword, without order, after the Watch is ſet, upon pain of death. Drawing of ſwords after ſetting of the watch.

34

No man ſhall give a falſe Alarm, or diſcharge a Peece in the night, or make any Giving a falſe alarm.

noiſe without a lawfull cauſe upon pain of death.

35

Drawing of ſwords in a quarrell.

No man ſhall draw any ſword in private quarrell within the Camp, upon pain of death.

36

Revealing the watchword.

He that makes known the Watchword without order, or gives any other word but what is given by the Officer, ſhall die for it.

37

Offering violence to victuallers.

No man ſhall do violence to any that bring victuals to the Camp, upon pain of death.

38

A Sentinell aſleep or drunk.

A Sentinell or Perdue found aſleep, or drunk, or forſaking their place before they be drawn off, ſhall die for the offence without mercy.

39

Failing at the Rendezvous.

No man ſhall fail wilfully to come to the Rendezvous appointed him by the Lord Generall, upon pain of death.

40

Remaining unrolled in the Army.

No man that carries Armes, and pretends to be a ſouldier, ſhall remain three dayes in the Army without being inrolled in ſome Company, upon pain of death.

41 No

41

No private ſouldier ſhall out-ſtay his Paſſe, without a Certificate of the occaſion, under the hand of a Magiſtrate at the next Muſter, upon pain of loſing his pay during all the time of his abſence. Outſtaying a Paſſe.

42

He that abſents himſelf when the ſigne is given to ſet the watch, ſhall be puniſhed at diſcretion; either with bread and water in priſon, or with the woodden Horſe. Abſenting from the Watch.

43

Whoſoever ſhall expreſſe his diſcontent with the quarter given him in Camp or Garriſon, ſhall be puniſhed as a Mutineer. Diſcontented with their quarter.

44

No Officer of what quality ſoever, ſhall go out of the quarter to dinner or ſupper, or lie out all night, without making his Superiour Officer acquainted, upon pain of caſſeering. Lying or ſupping out of the quarter.

45

All Officers whoſe charge it is, ſhall ſee the quarters kept clean and ſweet, upon pain of ſevere puniſhment. Keeping of the quarters clean.

46

No man ſhall fail immediately to repair unto his Repairing to the colours upō an alarm

his Colours (except upon evident neceſſity) when an Alarm is given, upon pain of death.

47

Burning and waſting: No man ſhall burn any Houſe or Barn, or ſpoil any Corn, Hay, or Straw, in ſtacks in the fields; or any Ship, Boat, Carriage, or any thing that may ſerve for proviſion of the Army, without order, upon pain of death.

48

Commanders muſt ſee God duely ſerved. All Commanders are ſtraitly charged to ſee Almighty God reverently ſerved, and Sermons and Prayers duely frequented.

49

Commanders muſt acquaint my Lord Generall with dangerous humours. All Commanders and Officers that finde diſcontented humours, apt to mutinies, or any ſwarving from directions given, or from the policy of the Army ſet down, ſhall ſtraightway acquaint the Lord Generall therwith, or others authorized; as they will anſwer their neglect.

50

Defrauding of Souldiers pay: Any Officer that ſhall preſume to defraud the ſouldiers of their pay, or any part of it, ſhall be caſſeered, and puniſhed at the Lord Generall his diſcretion.

51

Stopping of Duellers. No Corporall, or other Officer, commanding

ing the watch, ſhall wittingly ſuffer a Souldier to go forth to a Duell or private fight, upon pain of death.

52

What Officer ſoever ſhall come drunk to his guard, or ſhall quarrell in the quarter, or commit any diſorder, ſhall be caſſeered without mercy; and the next Officer under him, ſhall have his place, which he may pretend to as his right, and it ſhall not be refuſed to him. Drunken and quarrelſome Officers.

53

A Captain that is careleſſe in the training and governing of his Company, ſhall be diſplaced of his charge. Careleſſe Captains.

54

All Captains or Officers that ſhall out-ſtay their Paſſe, ſhall be puniſhed at the Lord Generall his diſcretion. Officers out-ſtaying their Paſſe.

55

All Officers of what condition ſoever, ſhall have power to part quarrels, and fraies, or ſudden diſorders, betwixt the Souldiers, though it be in any other Regiment or Company, and to commit the diſordered to priſon for the preſent, untill ſuch Officers as they belong unto are acquainted with it. And what Souldier ſo- All Officers bound to part quarrels.

ever ſhall reſiſt, diſobey, or draw his ſword againſt ſuch an officer, although he be no Officer of his Regiment or Company, ſhall be puniſhed with death.

56

Officers non-reſidents in Garriſon.

A Captain or Officer non-reſident in the place aſſigned him for Garriſon, without licence, ſhall have one moneths pay defalked for the firſt offence, and two moneths for the ſecond. Upon the third offence he ſhall be diſcharged of his command.

57

Caſſeering of ſouldiers.

No Captain ſhall caſſeer any Souldier that is inrolled, without ſpeciall warrant of the Lord Generall.

58

Muſtering of falſe and counterfeit Troopers.

No Captain of a Troop ſhall preſent in the muſters any but reall Troopers, ſuch as are bound by their oath & pay to follow the troop, upon pain of death without mercy. And if any Townes, or Countreyman, Victualler, Freebooter, Enterloper, or Souldier whatſoever, of any other troop or company, ſhall preſent himſelf or his horſe in the muſter, to miſ-lead the Muſter-maſter, to defraud his Majeſtie, and to betray the Service, the ſame ſhall be puniſhed with death.

No

59

No captain of a Troop or Company, ſhall take into his troop or company any inhabitant of that place where the troop or company is in garriſon, upon pain of ſevere puniſhment. Inhabitants of Garriſons muſt not be ſouldiers there.

60

No provider, keeper, or Officer of his Majeſties victuall or ammunition, ſhall embeazell or ſpoil any part thereof, or give any falſe account to the Lord Generall, upon pain of death. Commiſſaries of victuals and ammunition, muſt be true.

61

No Muſter-Maſter ſhall wittingly let any paſſe in the muſters, but ſuch as are really of the troop or company preſented, upon pain of death. Muſter-Maſters conniving at counterfeits.

62

All Captains ſhall cauſe their Troops and Companies to be full and compleat. And two dayes after the generall muſtering, they ſhall ſend to the Lord Generall a perfect Liſt or roll of all the Officers of their troops and companies, and likewiſe of all the Troopers and Souldiers that are in actuall ſervice; putting down diſtinctly on the head of each man his monethly pay. Captains muſt ſend a roll of their men to the Lord Generall.

63

Every pay-day. The like roll or liſt ſhall the Captains ſend to the Lord Generall, and to the Treaſurer of the Armie upon every pay-day, during the ſervice, with a punctual expreſſion at the bottome of the ſaid roll, what new Troopers or Souldiers have been entertained ſince the laſt pay day, in lieu of ſuch as are either deceaſed or caſſeer'd; and likewiſe the day whereon they were ſo caſſeer'd and entertain'd.

64

Subſcribed by all the Officers of the Troop or company. Which ſaid liſt or rol ſhall be ſubſcribed not onely by the Captain, his Lieutenant, and Cornet, or Enſeign, but alſo by the Sergeants and Corporals reſpectively; who ſhall declare upon their oaths, that the Troopers and Souldiers inrolled in the ſaid Liſt, are reall and actuall Troopers and Souldiers, of the reſpective Troopes and Companies; And whoſoever ſhalbe convicted of falſhood in any of the premiſſes, ſhall be puniſhed with death.

65

Muſter-maſters muſt uſe no other rolls. No Muſter-maſter ſhall preſume to receive or accept of any roll to make the Muſters by, but the fore-mentioned rolls, upon pain of the loſſe of his place, and other puniſhment at diſcretion.

66 No

66

No man ſhall preſume to preſent himſelf to the Muſter, or, to be inrolled in the Muſter-rolls by a counterfeit name, or ſurname, or place of birth; upon paine of death. Counterfeit names in the rolls.

67

No Victualler ſhall preſume to iſſue or ſell unto any of the Army, unſound, unſavourie, or unwholſome victuals, upon pain of impriſonment, and further arbitrary puniſhment. Victuallers iſſuing naughtie victuals.

68

No Souldier ſhall be a Victualler without the conſent of the Lord Generall, or others authorized, upon paine of puniſhment at diſcretion. No Souldier ſhall be a victualler.

69

No Victualler ſhall entertain any Souldiers in his houſe, tent, or hutt, after the warning peiece at night, or before the beating of the Ravalee in the morning. Unſeaſonable hours kept by victuallers.

70

All controverſies between Souldiers and their Captains, and all others, ſhall be ſummarily heard and determined by the Counſell of Warre: except the weightineſſe of the cauſe require further deliberation. Summarie proceedings.

71

The Provoſt Marſhal muſt look to his priſoners.

No Provoſt-Marſhall ſhall refuſe to keep a priſoner committed to his charge; nor diſmiſſe him being once received, upon pain of being liable to the ſame puniſhment which ſhould have been inflicted upon the partie diſmiſſed.

72

For debt and ſmall offences.

In matters of debt, or treſpaſſe, or other inferiour cauſes, the Magiſtrate ſhall not lay hands upon any Souldier, but ſhall acquaint his Captain, or other chief Officer therewith: Who is to end the matter with the conſent of the complainant, or to leave the partie grieved to take his remedie by due courſe of Law. And if the Officer fail of his dutie herein, the Lord Generall, upon complaint of the partie grieved, will not onely ſee him righted, but the Officer puniſhed for his neglect in this behalf.

73

Braving the Court of juſtice.

No man ſhall preſume to uſe any braving or menacing words, ſignes or geſtures, while the Court of juſtice is ſitting, upon pain of death.

74

Detecting of offenders.

All Captains, Officers, and ſouldiers ſhall do

do their endeavours to detect, apprehend, and bring to puniſhment all Offendors, & ſhall aſſiſt the Officers of the Army for that purpoſe, as they will anſwer their ſlackneſſe in the Marſhals Court.

Of the Souldiers Oath.

All Souldiers that are really and actually in his Majeſties ſervice, ſhall take this enſuing Oath.

I Promiſe and ſwear to be true and faithfull to my Soveraign Lord King CHARLES. To obey my Lord Generall, and the Commanders and Officers under Him. To obſerve the Laws and Ordinances of VVarre eſtabliſhed by Him. To continue in the ſervice, or to Disband according as I ſhall be commanded, with all quietneſſe of behaviour and obedience. As God ſhall helpe me.

All

ALL which Lawes and Ordinances are to be read plainly and distinctly by the Captain, or other Chief Officer to his own Companie, at least once a week. And the Oath shall be administred in the respective quarters, by the Sergeant Major Generall, assisted by the severall Officers of each Regiment. In the Horse-quarters by sound of Trumpet; and amongst the foot by beat of Drum.

FINIS.

58938

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